

was no antecedent basis for "the amount of forced expiratory volume." Claim 9 has been amended to remove this rejection.

Claims 1 and 12 have been amended to clarify that the dry dispersible powder is other than in a dry dispersible powder dissolved in a liquid. Support for this amendment can be found on page 6, lines 34-35, page 7, in the Brief Description of the Drawings for Figure 2, page 9, lines 14-17 and lines 23-27 page 12, lines 22-23, and page 17, lines 27-30.

Claims 1 and 12 have been further amended to indicate that the substance is capable of increasing the osmolarity of the airway surface. Support for this amendment can be found on page 5, line 5 of the specification.

Claims 1-12 were rejected under 35 U.S.C. Section 102(e) as being anticipated by Lloyd et al. (U.S. Patent 5,660,166). Lloyd et al. disclose a system for intrapulmonary delivery of aqueous formulations. Claims 1 and 12 have been amended to indicate that the dry dispersible powder is other than a dry powder dissolved in a liquid. Claims 2-11 and 13-21 are dependent upon claims 1 and 12. Therefore, in view of these amendments, the rejection of claims 1-21 as being anticipated by Lloyd et al. should be removed.

Claims 1-9 and 12-19 are rejected under 35 U.S.C. Section 102(e) as being anticipated Andersson et al. Claims 1 and 12 have been amended to indicate that the substance is capable of increasing the osmolarity of the airway surface liquid. Claims 2-8 and claims 13-18 are dependent upon claims 1 and 12. Andersson et al. disclose a device for dispensing pharmaceutically active compound to treat a disease. Andersson et al. does not teach a method for narrowing an airway in a subject or for increasing mucociliary clearance or

inducing sputum by causing a subject to inhale into the subject's airway an effective amount of a substance capable of increasing the osmolarity of the airway surface liquid. In view of these amendments, the rejection of claims 1-9 and 12-19 as being anticipated by Andersson et al. should be withdrawn.

Claims 10-11 and 20-21 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Andersson et al. in view of Lloyd et al. Applicant herewith incorporates the comments made above in response to the rejection of the claims in view of Lloyd et al. and Andersson et al. Therefore, claims 10-11 and 20-21 are not obvious in view of Andersson et al. in view of Lloyd et al.

In view of the above-identified Amendment, Applicant submits that the claims are in condition for allowance. If any fees are incurred as a result of the filing of this paper authorization is given to charge deposit account number 04-1644.

Respectfully submitted,

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